

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED PARCEL SERVICE, INC.,

Plaintiff,

- against -

LEXINGTON INSURANCE COMPANY,

Defendant.

Case No.: 12-cv-07961 (SAS)

ECF Case

**NOTICE OF MOTION
FOR ATTORNEYS' FEES
AND LITIGATION EXPENSES**

Oral Argument Requested

PLEASE TAKE NOTICE that upon the Court's Opinion and Order, dated October 16, 2013, the Declaration of Stephen P. McLaughlin, dated November 7, 2013, together with the exhibits annexed thereto, the Declaration of Steven P. Orłowski, dated November 7, 2013, together with the exhibit annexed thereto, the accompanying Memorandum of Law and all pleadings and proceedings heretofore had herein, the undersigned will move this Court on behalf of Plaintiff United Parcel Service, Inc. ("UPS"), before the Honorable Shira A. Scheindlin at the courthouse located at 500 Pearl Street, New York, New York 10007 for an order granting the attorneys' fees and litigation expenses incurred in defending *Chase v. United Parcel Service, Inc.*, Index No. 7445/10 (Supreme Ct. Kings County) in the amount of \$37,772.73, plus interest, together with the attorneys' fees and costs of this motion and such other, further and different relief as this Court deems just and proper.

Oral argument is requested.

Dated: White Plains, New York
November 7, 2013

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